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|  |                |   |                              |                    |                |             |  |                |                |               |                |
|--|----------------|---|------------------------------|--------------------|----------------|-------------|--|----------------|----------------|---------------|----------------|
|  |                | Express Mail No.  | EV 332072024 US              |                    |                |             |  |                |                |               |                |
| DECLARATION FOR UTILITY, DESIGN, DIVISIONAL AND<br>CONTINUATION-IN-PART PATENT APPLICATIONS (37 CFR 1.63)  |                | Attorney Docket Number  | 41170-171                    |                    |                |             |  |                |                |               |                |
|  |                | First Named Inventor  | Maxime Arthur Maurice Samain |                    |                |             |  |                |                |               |                |
| <input checked="" type="checkbox"/> Declaration Submitted with Initial Filing<br><br><input type="checkbox"/> Supplemental Declaration Submitted <input type="checkbox"/> Declaration Submitted for Continuation-In-Part Filing <input type="checkbox"/> Declaration Submitted for Divisional Filing |                | <b>COMPLETE IF KNOWN</b><br><table border="1"> <tr> <td>Application Number</td> <td>To be assigned</td> </tr> <tr> <td>Filing Date</td> <td></td> </tr> <tr> <td>Group Art Unit</td> <td>To be assigned</td> </tr> <tr> <td>Examiner Name</td> <td>To be assigned</td> </tr> </table> |                              | Application Number | To be assigned | Filing Date |  | Group Art Unit | To be assigned | Examiner Name | To be assigned |
| Application Number   | To be assigned |   |                              |                    |                |             |  |                |                |               |                |
| Filing Date  |                |   |                              |                    |                |             |  |                |                |               |                |
| Group Art Unit   | To be assigned |   |                              |                    |                |             |  |                |                |               |                |
| Examiner Name  | To be assigned |   |                              |                    |                |             |  |                |                |               |                |

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

LUMBAR WITH FLEXWIRES IN CROSS

(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on  
(MM/DD/YYYY)

as United States Application Number or PCT International

Application  
Number

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application<br>Number(s) | Country | Foreign Filing Date<br>(MM/DD/YYYY) | Priority<br>Not Claimed  | Certified Copy Attached? |                          |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|  |         |                                     |                          | YES                      | NO                       |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

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## DECLARATION — Utility or Design Patent Application

Direct all correspondence to: ☒Customer Number  
or Bar Code Label

029493

OR ☐ Correspondence address below

Name Grant D. Kang

Address Husch &amp; Eppenberger, LLC, 190 Carondelet Plaza

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ZIP 63105

Country USA

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Fax 314-480-1505

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR :

☐ A petition has been filed for this unsigned inventor

Given Name

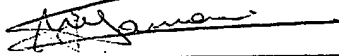
(first and middle [if any])

Maxime Arthur Maurice

Family Name

or Surname

Samain

Inventor's  
Signature

Date 12/03/2004

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Country

Belgium

Citizenship

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Same

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State

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NAME OF SECOND INVENTOR :

☐ A petition has been filed for this unsigned inventor

Given Name

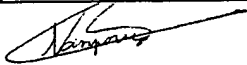
(first and middle [if any])

Maarten

Family Name

or Surname

Vanparys

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Signature

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12/03/2004

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Citizenship

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same

City

State

ZIP

Country

☐ Additional inventors are being named on the \_\_\_\_\_ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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|  |                               |                                |  |  |
|--|-------------------------------|--------------------------------|--|--|
| <b>Express Mail No.: EV 332072024 US</b>               |                               |                                |  |  |
| <b>POWER OF ATTORNEY OR<br/>AUTHORIZATION OF AGENT</b> | <b>Application Number</b>     | To be assigned                 |  |  |
|  | <b>Filing Date</b>            |                                |  |  |
|  | <b>First Named Inventor</b>   | Maxime Samain                  |  |  |
|  | <b>Title</b>                  | Lumbar with Flexwires in Cross |  |  |
|  | <b>Group Art Unit</b>         |                                |  |  |
|  | <b>Examiner Name</b>          |                                |  |  |
|  | <b>Attorney Docket Number</b> | 41170-171                      |  |  |

I hereby appoint:

☒ Practitioners at Customer Number  
**OR**

029493

—▶

**\*29493\***  
**29493**  
PATENT TRADEMARK OFFICE

☐ Practitioner(s) named below:

| Name | Registration Number |
|------|---------------------|
|      |                     |
|      |                     |
|      |                     |
|      |                     |
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|      |                     |
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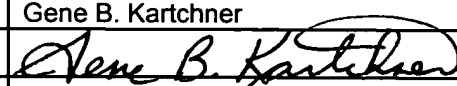
as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

|   |                          |       |              |     |       |
|---|--------------------------|-------|--------------|-----|-------|
| <input checked="" type="checkbox"/> Firm or Individual Name | Grant D. Kang            |       |              |     |       |
| Address   | Husch & Eppenberger, LLC |       |              |     |       |
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| City  | St. Louis                | State | MO           | Zip | 63105 |
| Country   | USA                      |       |              |     |       |
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I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).*

|   |   |
|---|---|
| <b>SIGNATURE of Applicant or Assignee of Record</b> |   |
| <b>Name</b>   | Gene B. Kartchner   |
| <b>Signature</b>                                    |  |
| <b>Date</b>   | March 5, 2004   |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**STATEMENT UNDER 37 CFR 3.73(b)**Assignee/Patent Owner: L & P Property Management CompanyApplication No./Patent No.: TBA Filed/Issue Date: \_\_\_\_\_Entitled: Lumbar With Flexwires in CrossL & P Property Management Company, a corporation,  
(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

- [ ] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

March 5, 2004  
Date

Gene B. Kartchner

Typed or printed name

Gene B. Kartchner  
Signature

Vice President

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Mail Stop Comments - Patents, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.